

## Qualified Vendors List (QVL) AGREEMENT

This QVL is being established to create an agreement to allow for the purchase of protective footwear for FAA employees at the Mike Monroney Aeronautical Center (MMAC). Protective footwear is a requirement of the Occupational Safety and Health Administration (OSHA) regulation in Title 29 of the Code of Federal Regulations (CFR) and FAA Policy:

29 CFR 1960, Basic Program Elements for the Federal Employees OSHA, specifically, 1960.8(d);

29 CFR 1910, Subpart I, Personal Protective Equipment. 1910.136, *FOOT PROTECTION*;

29 CFR 1910, Subpart S, Electrical, 1910.335, *SAFEGUARDS FOR PERSONNEL PROTECTION*;

The FAA and the MMAC also are committed by policy in Chapters 25 of both FAA Order 3900.19b, and MMAC Order AC 3900.21F.

Occupational Safety and Health Administration. More information can be found at:

<http://www.osha.gov/SLTC/personalprotectiveequipment/index.html>

Vendor must be classified as a small business under North American Industry Classification System (NAICS) Code 334511. Vendor must only offer protective footwear that meets or exceeds performance criteria established by the following American Society for Testing and Materials (ASTM) standards:

ASTM F-2412-2005, Standard Test Methods for Foot Protection; and,

ASTM F-2413-2005, Standard Specification for Performance Requirements for Protective Footwear.

FAA employees are provided protective footwear based on exposures to foot injury hazards. Eligible employees are allowed to purchase protective footwear one of two ways: 1.) through a vendor on the QVL; or, 2.) purchase, and be reimbursed for protective footwear from any vendor of their choice who is able to satisfy the standard(s) stated in the preceding. This QVL is intended to identify vendors willing to enter into a direct-bill agreement with the FAA that allows the FAA employee to bear only the personal expense that may exceed the current allowance (as explained below).

Vendor on QVL shall be invited to participate in the "Safety Shoe Truck Days" annually in November after receiving advanced notification and invitation from the Safety and Occupational Health Specialist. Safety Shoe Trucks shall be equipped with self-contained power lighting and to manage transactions from. The vendor will be provided the opportunity to bring the merchandise requested on the MMAC for a two (2) day period to promote and sell the approved footwear. Safety shoes must meet all safety standards as listed in the QVL Agreement. Only QVL approved vendors will be offered this opportunity. Vendor shall submit information regarding business hours and location to the MMAC to assist any new employees who wish to come to their establishment to purchase protective footwear outside of the November time frame. Vendor will be expected to provide updates as a courtesy.

No shoe purchases shall be allowed between August 1, 2011 and September 30, 2011.

The employee protective footwear purchase system involves each FAA employee being provided a Government Voucher signed by an authorized person. The amount of the Voucher allowance is determined each fiscal year (FY). On or before October 1<sup>st</sup> of each year, all vendors on QVL will provide a copy of their current price list to the Safety and Occupational Health Specialist for budgeting purposes. (The approved amount for FY11 is \$89.00.) The FAA/MMAC has no responsibility or liability for any monetary excesses committed by any person(s) purchasing protective footwear under the MMAC Safety Shoe Program. Vendor must be able to bill in accordance with a Voucher system. Invoices submitted shall be itemized and include copies of signed vouchers and other receipts for each purchase listed on invoices. One invoice shall be mailed to the Contracting Officer's Technical Representative (COTR), Mike Menser, (405) 954-9815.

FAA, MMAC  
AMP-100A SAFETY SHOE PROGRAM  
PO BOX 25082  
OKLAHOMA CITY, OK 73125

Except as otherwise provided herein, in accordance with AMS policy, only qualified vendors may compete to be a provider of protective footwear on this QVL. The Government reserves the right at its unilateral option to solicit offers for protective footwear and obtain them from sources other than vendors on this QVL under the following circumstances:

1. For any requirement estimated to exceed \$100,000. However, when relying upon this exception, offers will be solicited from the QVL vendors.
2. For any requirement which having been offered to the QVL vendors, the Government has received fewer than 2 competitive offers which meet the Government's requirements, including, but not limited to, technical, quality, delivery schedule and price.

Becoming a member of this QVL does not guarantee business.

#### QVL SELECTION & MAINTENANCE

The QVL will be maintained for an indefinite period of time. After the close of each fiscal year (FY), September 30, the FAA will conduct a review of each vendor's performance for that FY. During this review, all vendors will be evaluated for responsiveness, competitiveness, and performance. The FAA reserves the right to remove a vendor from the QVL for failing to be responsive, competitive, or meet performance criteria.

In order to be considered responsive and competitive, each vendor must have or be willing to participate in the annual "Safety Shoe Truck Days."

Vendor performance will be determined by product quality and delivery schedules. (For initial selection, this will be determined by documented proof of quality products and capability to meet delivery schedule)

Vendor must complete a Business Declaration Form and Certification and Representations initially and on an annual basis or if changes occur in the company prior to the annual requirement.

Each RFO will be written to include clauses applicable to the particular requirement.

I have read the terms of the QVL Agreement and agree to these terms.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

